

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-10 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 3 and 10 as being allowable if rewritten in independent form. Applicants have not yet rewritten these claims in independent form since it is believe that the independent claims from which they depend, as presently amended, are also allowable.

Claim Objections

The Examiner pointed out three objections in claims 2, 3 and 10. By way of the present Amendment, claim 1 has been amended to define the term "SAN". Likewise, claim 3 has been amended to specify that R1 and R2 are specifically the number of first rake receivers and second rake receivers. In regard to claim 10, Applicants have used "a" rather than "the". Accordingly, these objections are believed to be overcome.

Rejections Under 35 USC 103

Claims 1, 2 and 4-9 stand rejected under 35 USC 103 as being obvious over Lin (US Patent 7,200,133) in view of Bruckert et al. (US Patent 5,809,020). This rejection is respectfully traversed.

The Examiner states that Lin shows a master processing unit 200, a plurality of rake receivers 152, and a detecting unit where the master processing unit estimates the appropriate number according to the qualities of the detection signals. The Examiner admits that Lin does not show a plurality of processing units. The Examiner relies on Bruckert et al. to teach the plurality of processing units in order to facilitate diversity concept. Applicants submit that the claims as presently amended are not obvious over this combination of references.

Claim 1 has been amended to now specifically describe the first processing unit having a plurality of rake receivers and a first detecting unit. Claim 1 also describes the second processing unit as having a plurality of second rake receivers and a second detecting unit. The master processing unit estimates a signature appropriate number according to the first and second detection signals and assigns the transmitted signal received by the second rake receivers when there are not enough of the first receivers. Thus, claim 1 specifically describes two separate processing units each with rake receivers and a detecting unit.

While Lin shows a plurality of rake receivers, there is no teaching of having these receivers within processing units each having a detecting unit. Further, claim 1 also describes the master processing unit as estimating the number of rake receivers needed and assigning the transmitted signal to the second rake receivers, there are not enough rake receivers in the first processing unit. Applicants submit that these features are not shown in Lin. While Lin shows a plurality of rake receivers when they are not divided into processing units with a detecting unit. Further, this reference does not teach the assigning of transmitted signals to second rake receivers when there are not enough first rake receivers in the first processing unit. Accordingly, Applicants submit that claim 1 is allowable over these references.

Likewise, claim 7 teaches a method which corresponds to this system claim 1. Claim 7 further describes the first and second processing units each having rake receivers and assigning the transmitted signal for second receivers when there are not enough rake receivers in the first processing unit. Accordingly, Applicants submit that claim 7 is allowable for the same reasons presented above in regard to claim 1.

Claims 2-6 and 8-10 depend from these allowable independent claims and as such are also considered to be allowable. It is further noted that the Examiner has already indicated that claims 3 and 10 are allowable. In addition, Applicants submit that the other dependent claims also include allowable limitations. Thus, claim 2 further describes that the master processing unit includes a distributor and a master combiner. The claim also describes the operation of each of these two limitations. Accordingly, claim 2 is additionally allowable.

Likewise, claims 4, 5, 6, 8 and 9 each include other limitations which make them additionally allowable.

Conclusion


In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse Reg. No. 27,295 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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